

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Walsh  
Serial No. :  
Filed : Herewith  
Title : NETWORK SWITCH WITH QUALITY OF SERVICE FLOW CONTROL

Art Unit :  
Examiner :  
Conf. No. :

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56 and 1.97-98**

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is a modified form PTO-1449 listing documents for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of documents, or that inclusion of a document in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months from the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:

- ☐ attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
  - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
  - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND
  - ☐ attached hereto is the fee set forth under 37 CFR § 1.17 (p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. \_\_/\_\_, filed on \_\_\_\_\_, and the documents cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).

Applicant : Walsh  
Serial No. :  
Filed :

Attorney's Docket No.: MP0343

Page: 3

☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

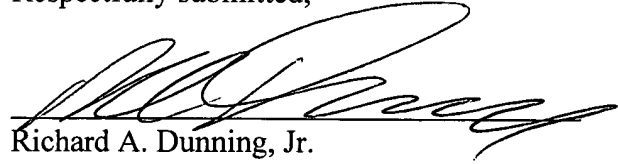
Consideration of the listed documents and favorable action are respectfully requested.

Date:

9/23/03

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Santa Cruz, CA 95062  
Telephone: 831.420.0561  
Facsimile: 413.541.0092

Respectfully submitted,



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Attorney/Agent for Applicant(s)  
Reg. No. 42502

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|   |   |           |   | <b>Appl. No. &amp; Conf. No.</b>     |  |
|   |   |           |   | <b>Filing Date</b> Herewith          |  |
|   |   |           |   | <b>First Named Inventor</b> Walsh    |  |
|   |   |           |   | <b>Group Art Unit</b>                |  |
|   |   |           |   | <b>Examiner Name</b>                 |  |
| <b>Sheet</b>  | 1 | <b>of</b> | 2 | <b>Attorney Docket Number</b> MP0343 |  |

| U.S. PATENT DOCUMENTS |                       |                      |                                   |   |  |   |
|-----------------------|-----------------------|----------------------|-----------------------------------|---|--|---|
| Examiner Initials*    | Cite No. <sup>1</sup> | U.S. Patent Document |                                   | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|                       |                       | Number               | Kind Code <sup>2</sup> (if known) |   |  |   |
|                       | A                     | 2002/0191542         | A1                                | Pauwels et al.                                  | 12-19-2002                                       |   |
|                       | B                     | 6,192,422            | B1                                | Daines et al.                                   | 02-20-2001                                       |   |
|                       | C                     | 6,192,028            | B1                                | Simmons et al.                                  | 02-20-2001                                       |   |
|                       | D                     | 6,167,054            |                                   | Simmons et al.                                  | 12-26-2000                                       |   |
|                       | E                     | 6,115,356            |                                   | Kalkunte et al.                                 | 09-05-2000                                       |   |
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|                       | I                     | 6,456,590            | B1                                | Ren et al.                                      | 09-24-2002                                       |   |
|                       | J                     | 6,501,732            | B1                                | Xu et al.                                       | 12-31-2002                                       |   |
|                       | K                     | 6,570,850            | B1                                | Gutierrez et al.                                | 05-27-2003                                       |   |
|                       | L                     | 10/071,417           |                                   | Pannell et al.                                  |  |   |
|                       | M                     | 10/150,147           |                                   | Walsh et al.                                    |  |   |
|                       | N                     | 10/141,096           |                                   | Walsh et al.                                    |  |   |
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| FOREIGN PATENT DOCUMENTS |                       |                         |                     |                                   |   |  |   |                |
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| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                   | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|                          |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |   |  |   |                |
|                          | O                     | WO                      | 03/017702           | A1                                | Ericsson  | 02-27-2003                                       |   |                |
|                          |                       |                         |                     |                                   |   |  |   |                |
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<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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|   |   |           |   | <b>Filing Date</b>                |        |
|   |   |           |   | <b>First Named Inventor</b> Walsh |        |
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|   |   |           |   | <b>Examiner Name</b>              |        |
| <b>Sheet</b>  | 2 | <b>of</b> | 2 | <b>Attorney Docket Number</b>     | MP0343 |

| NON PATENT LITERATURE DOCUMENTS |                       |   |                |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials*              | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|                                 | P                     | SEIFERT, "The Switch Book: The Complete Guide to LAN Switching Technology," 2000, pp. 640-641, John Wiley & Sons, US  |                |
|                                 | Q                     | NOUREDDINE et al., "Selective Back-Pressure in Switched Ethernet LANS," Proceedings of IEEE Globecom, December 1999, pp.1-9, IEEE, US   |                |
|                                 | R                     | JAIN, "Myths About Congestion Management in High-Speed Networks," Internetworking: Research and Experience, 1992, pp. 101-113, Vol. 29, Issue 2, US   |                |
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